

REMARKS

The Official Action mailed July 16, 2007, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant appreciates Examiner Dudek's time in conducting a telephonic interview on October 11, 2007. As described in more detail below, during the interview the Applicant's representative explained that the claimed "display device" is not rendered obvious by Figure 18 of Hinata and that passivation film 146 of Hinata does not cover a "display device." Agreement was reached that dependent claim 9 overcomes the rejections based on Hinata and Kim. Further, agreement was reached that a claim which recites a "third substrate" would overcome the rejections based on Hinata and Kim. The Applicant notes new dependent claims 23 and 27, which recite "wherein the display device comprises a third substrate." The Examiner agreed to consider the Applicant's remarks following the submission of this *Amendment*.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on December 19, 2003; February 4, 2004; February 14, 2006; May 8, 2006; October 30, 2006; and April 23, 2007.

U.S. Patent No. 6,300,152 to Kim appears for the first time during prosecution in the Official Action mailed January 23, 2007 (Paper No. 20070117), and is relied upon by the Examiner in the rejection. However, it does not appear that Kim was cited by the Examiner on a Form PTO-892. The Applicant respectfully requests that the Examiner cite Kim on a Form PTO-892 and include a copy of the same in a subsequent communication.

A further Information Disclosure Statement was submitted on August 7, 2007 (received by OIPE August 8, 2007), and a further Information Disclosure Statement is

submitted herewith, and consideration of these Information Disclosure Statements is respectfully requested.

Claims 1-5, 9, 11, 13, 15, 17 and 20 were pending in the present application prior to the above amendment. Claim 20 have been amended to clarify the features of the present invention, and new claims 21-27 have been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 1-5, 9, 11, 13, 15, 17 and 20-27 are now pending in the present application, of which claims 1 and 20 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

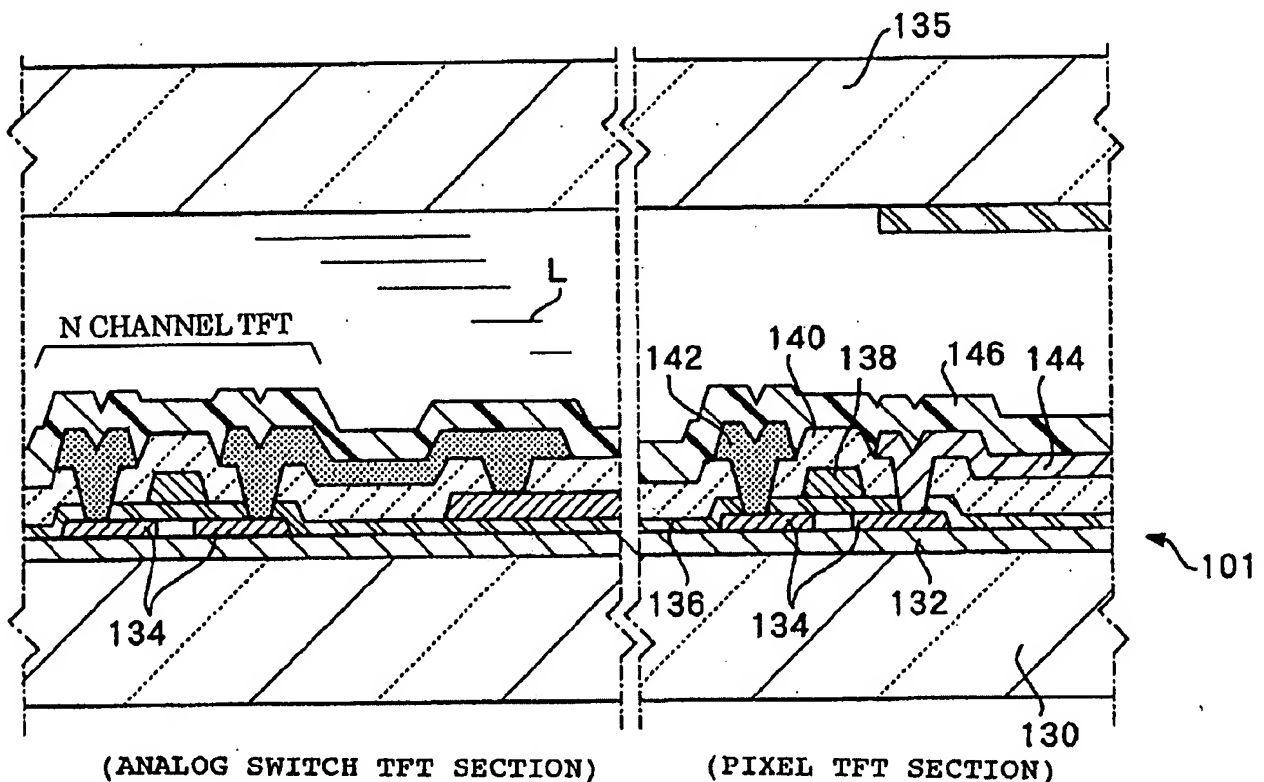
The Official Action continues to reject claims 1, 4, 5, 9, 13, 15, 17 and 20 as obvious based on the combination of U.S. Publication No. 2001/0022644 to Hinata and U.S. Patent No. 6,300,152 to Kim. The Applicant respectfully traverses the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5

USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims. Independent claim 1 recites a display device covered and sealed with a resin between a first substrate and a second substrate. For the reasons provided below, Hinata and Kim, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

The Official Action asserts that Hinata teaches that "the thin film integrated circuit and the display device are sealed [with a passivation layer 146] between the first substrate and the second substrate of the card [see figure 18, passivation layer 146]" (page 2, Paper Nos. 20070117 and 20070710). However, the Applicant respectfully submits that the passivation layer 146 of Hinata does not cover a display device (Figure 18 reproduced below).



In Hinata, the TFT in the pixel section described in paragraph 162 does not function by itself as a display device without at least a liquid crystal layer L over the passivation layer 146. That is, the passivation layer 146 is part of the display device itself and does not cover a display device. It is not appropriate to assert that the passivation layer 146 of Hinata corresponds with the resin of the present claims. Therefore, Hinata does not teach or suggest a display device covered and sealed with a resin between a first substrate and a second substrate.

During the interview, the Applicant's representative and Examiner Dudek reviewed Figure 18 of Hinata and discussed whether or not the passivation film 146 is covering a "display device." Mr. Dudek argues that "display device," given its broadest reasonable interpretation, is simply something that comprises a first semiconductor element comprising a first polycrystalline semiconductor film. The Applicant respectfully disagrees and traverses the assertions in the Official Action. A "display device" as presently claimed is not simply any device comprising a first semiconductor element comprising a first polycrystalline semiconductor film. By such interpretation, a microprocessor of a personal computer, since it comprises a first semiconductor element comprising a first polycrystalline semiconductor film, would be a display device. The Applicant respectfully disagrees with the Examiner's broad interpretation of "display device." Rather, a display device must function as a display. A first semiconductor element comprising a first polycrystalline semiconductor film alone is not sufficient to read on a "display device."

The Applicant respectfully submits that the Examiner is relying on an unreasonably broad interpretation of "display device" to support the present rejections. Specifically, it is not reasonable to assert that the layers below passivation layer 146 in Figure 18 of Hinata comprise a "display device." Absent the Examiner's unreasonably broad interpretation of "display device," the rejections based on Hinata and Kim do not stand. Specifically, Hinata does not teach or suggest a display device covered and sealed with a resin between a first substrate and a second substrate.

Kim does not cure the deficiencies in Hinata. The Official Action relies on Kim to allegedly teach "acrylic resin used as a passivation layer" (page 2, Paper Nos. 20070117 and 20070710). However, Hinata and Kim, either alone or in combination, do not teach or suggest a display device covered and sealed with a resin between a first substrate and a second substrate.

Regarding dependent claim 9, as noted above, during the interview, the Examiner generally agreed that claim 9 overcomes the rejections based on the alleged combination Hinata and Kim.

Since Hinata and Kim do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

The Official Action rejects claims 2, 3 and 11 based on the combination of Hinata, Kim and U.S. Patent No. 4,709,991 to Hoshikawa, U.S. Patent No. 4,709,995 to Kuribayashi or U.S. Patent No. 6,859,195 to Kodate, respectively.

Hoshikawa, Kuribayashi and Kodate do not cure the deficiencies in Hinata and Kim. The Official Action relies on Hoshikawa, Kuribayashi and Kodate to allegedly teach the features of dependent claims 2, 3 and 11, respectively. Specifically, the Official Action relies on Hoshikawa to allegedly teach "the card having a thickness from 0.05 mm through 1.5 mm" (page 3, Paper Nos. 20070117 and 20070710), on Kuribayashi to allegedly teach "a passive matrix electrode structure" (Id.) and on Kodate to allegedly teach "the device being light emitting" (Id.). However, Hinata, Kim and Hoshikawa, Kuribayashi or Kodate, either alone or in combination, do not teach or suggest the following features or that Hinata and Kim should be modified to include any of the following features: a display device covered and sealed with a resin between a first substrate and a second substrate. Since Hinata, Kim and Hoshikawa, Kuribayashi or Kodate do not teach or suggest all the claim limitations, a *prima facie* case of

obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New claims 21-27 have been added to recite additional protection to which the Applicant is entitled. The features of claims 21-27 are supported in the present specification, for example, by Figures 3A and 9. The second thin film integrated circuit in the claims may correspond, for example, to thin film integrated circuit 208, the insulating film in the claims may correspond, for example, to base film 504, the antenna in the claims may correspond, for example, to antenna 506, and the third substrate in the claims may correspond, for example, to the counter substrate 523. Also, regarding new dependent claims 23 and 27, which recite "wherein the display device comprises a third substrate," as noted above, during the interview, agreement was reached that a claim which recites a "third substrate" overcomes the rejections based on Hinata and Kim. Therefore, the Applicant respectfully submits that new claims 21-27 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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